



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,081	04/02/2001	L. Scott Rich	RSW9-2001-0074-US1	1696

7590 07/26/2005

Mark D. Simpson  
Synnestvedt & Lechner  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107-2950

EXAMINER
----------

RUTTEN, JAMES D

ART UNIT	PAPER NUMBER
----------	--------------

2192

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/825,081

Applicant(s)

RICH ET AL.

Examiner

J. Derek Rutten

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Acknowledgement is made of Applicant's amendment dated 20 April 2005, responding to the 17 December 2004 Office action provided in the rejection of claim 1, wherein claim 1 has been amended, no claims have been canceled, and new claim 2 has been added. Claims 1 and 2 remain pending in the application and have been fully considered by the examiner.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claim 1 has been considered but are moot in view of the new ground(s) of rejection.

#### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "pre-registered other format", the "IDE file structure", and the "IDE resource API" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

Art Unit: 2192

be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1 and 2 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. New recitations of other formats comprising an "Integrated Development (IDE) file structure" and "IDE resource API" do not appear to have support from the originally filed specification. Lines 15-18 on page 20 of the specification discuss such "other file formats", but do not disclose any information regarding an IDE. Further search of the specification did not reveal disclosure of any such IDE.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over prior art of record "Java I/O" by Harold (hereinafter "Harold") in view of US 5,907,703 A to Kronenberg et al. (hereinafter "Kronenberg") further in view of US 6,549,918 B1 to Probert, Jr. et al. (hereinafter "Probert").

Harold discloses:

*A method for returning files to a client of an application (column 7 line 34 – column 8 line 25), comprising the steps of:*  
*requesting the loading of a set of one or more files stored under a predetermined file path and name; See column 2 lines 33-40:*

Turning next to FIGS. 3, 4, and 5 a preferred embodiment of a device driver program embodying the present invention begins by receiving a file system request from the operating system at step 301. The file system request contains information indicating the type of request to be performed, the identity of the file on which the operation is to be performed, and any other information needed to perform a successful operation.

*determining if the requested file set is in a recognizable file structure comprising one of an archive format, or a directory tree format; See column 2 lines 47-49:*

...at step 303, the driver checks to see if the enumeration points to an archive file.

Art Unit: 2192

*creating a loading strategy based on said determination; See column 2 lines 55-57:*

If the answer to step 303 is affirmative, then at step 304 the device driver creates, in RAM a virtual folder that represents the archive file.

*creating a virtual archive using the loading strategy; See column 3 lines 42-44:*

If the directory has not been loaded, then at step 402 the driver loads the central directory structure.

*gathering said one or more files in said set, storing them in said virtual archive, and returning said virtual archive to said client. See K: column 2 lines 60-63:*

The device driver then augments the enumerated request with information describing the virtual folder and passes this information to the operating system.

*wherein:*

*if it is determined that the requested file set is in a directory tree format, said loading strategy comprises iterating/visiting of nested files in the requested file set; See FIG. 3 element 307; also see column 2 lines 40-41:*

The operation specified in the file system request may be an operation to enumerate the contents of a folder...

Note that any enumeration of the contents of a folder requires the iteration of the files contained in that folder.

*if it is determined that the requested file set is in an archive format, said loading strategy comprising iterating/visiting of .zip entries and nested archives in the requested file set; See FIG. 3 elements 303-306; also FIG. 4 element 402; also column 2 lines 46-49 and 55-60:*

If the answer at step 302 is affirmative, then at step 303, the driver checks to see if the enumeration points to an archive file.  
...

If the answer to step 303 is affirmative, then at step 304 the device driver creates, in RAM a virtual folder that represents the archive file. A virtual folder appears to user programs and the operating system as a folder containing files and folders but is not actually stored as a folder in the underlying storage device.

*if it is determined that the requested file set is in a pre-registered other format comprising an Integrated Development Environment (IDE) file structure, said loading strategy comprises iterating/visiting file and folder resources in the IDE file structure using IDE resource API;*

*whereby said virtual archive returned to said client is in an archive format, regardless of in which recognizable file structure the requested file set was stored. See column 2 lines 57-60:*

A virtual folder appears to user programs and the operating system as a folder containing files and folders but is not actually stored as a folder in the underlying storage device.

Here, an archive format is returned to the operating system to display to a user. The same view is presented to the user regardless of the format of the originating data.

Kronenberg does not expressly disclose: *a pre-registered other format*. However, in an analogous environment, Probert teaches that future file formats can be opened and converted into a format that an application can process. See column 4 lines 26-44, e.g.:

The filter driver allows applications to open files in the formats that they expect even though the underlying file system and data format may be different.

...

One benefit of the current invention is that parts of a system may be updated to work with a new file system or new versions of software without having to ensure that the entire system is converted at the same time.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Probert's teaching of loading other formats with Kronenberg's loading strategy. One of ordinary skill would have been motivated to update a system to work with a new version of software (Probert column 4 lines 41-42).

Art Unit: 2192

In regard to claim 2, Kronenberg discloses a system (column 7 lines 3-33). All further limitations have been addressed in the above rejection of claim 1.

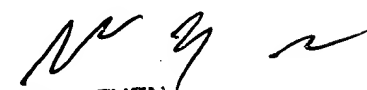
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Derek Rutten whose telephone number is (571) 272-3703. The examiner can normally be reached on T-F 6:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jdr

  
WEI Y. ZHEN  
PRIMARY EXAMINER